

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP VON KAHLE, in his capacity as
assignee for the benefit of the
creditors of COEX COFFEE
INTERNATIONAL, INC.,

Plaintiff,

-v-

CARGILL, INC.,

Defendant.

21-cv-8532 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.:

On May 13, 2025, plaintiff Philip von Kahle concluded his case in chief in the trial of the above-captioned case. Defendant Cargill, Inc. ("Cargill") then moved for judgment on partial findings under Rule 52(c) of the Federal Rules of Civil Procedure. The Court heard argument on defendant's motion, but, after taking all the evidence, and all reasonable inferences drawn therefrom, most favorably to the plaintiff, the Court concluded, in an email sent to both parties later the same day, that the motion should be denied. Nevertheless, the Court indicated that it would continue to consider the many difficult issues raised by the motion and offered the parties an opportunity to make further written submissions on any of those same issues. This Order confirms the Court's ruling delivered to the parties via email.

Later that same day, the parties jointly informed the Court that they had agreed in principle to a settlement. However, they explained that the settlement cannot be finalized until it is approved by the

Florida Circuit Court overseeing the assignment of Coex Coffee International, Inc. for the benefit of its creditors. Accordingly, the parties jointly asked to adjourn the trial of this matter for a period of 30 days to allow the parties time to seek and hopefully obtain the Florida court's approval of the settlement. Despite the disruption thereby caused to this Court's calendar, this request is hereby granted.

Accordingly, the continuation of the trial of this case is hereby adjourned to 9:30 a.m. on Friday, June 13, 2025 (i.e., 30 days from now) and will reconvene at that date and time unless the parties file a joint stipulation of dismissal prior to that date. No further adjournments will be granted.

SO ORDERED.

New York, NY
May 14, 2025



JOEL S. RAKOFF, U.S.D.J.